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Attorneys for Buganko, LLC

IN THE UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

NORTHERN DIVISION

In re
HVI CAT CANYON, INC.

Debtor.

) CASE NO. 9:19-bk-11573-MB
) (Chapter 11)
)
) **DECLARATION OF ERIC M. VAN HORN**
) **IN SUPPORT OF BUGANKO'S, LLC'S**
) **OBJECTIONS TO DEBTOR'S (1) MOTION**
) **FOR INTERIM AND FINAL ORDERS**
) **AUTHORIZING USE OF CASH**
) **COLLATERAL AND (2) MOTION TO SELL**
) **REDU ASSET (DOCKET NO. 155)**
)
) Date: October 3, 2019
) Time: 10:00 a.m.
) Place: 1415 State St.
) Santa Barbara, CA 93101
) Courtroom 202
) Judge: Martin R. Barash
)

I, ERIC M. VAN HORN, state and declare as follows:

1 1. I am an attorney representing Buganko, LLC ("Buganko")
2 and I have personal knowledge of the matters stated herein.

3 2. The Debtor's scheduled Buganko on Schedule G as the
4 lessor to a Surface Rental Agreement. Docket No. 171, at page 271
5 (attachment to Schedule G, page 2 of 2). The Attachment to Schedule
6 G is attached hereto as "Buganko-11."

7 3. The Debtor's schedules list Buganko as a creditor owed
8 \$51,975.00 and whose claim is not listed as disputed, unliquidated,
9 or contingent. Docket No. 171, at page 104. Page 104 of the Debtor's
10 schedules is attached hereto as "Buganko-12."

11 4. On September 17, 2019, the Debtor agreed that the
12 Debtor's post-petition monthly rental obligation to Buganko is
13 \$14,877.09, and that, post-petition, the Debtor has underpaid
14 Buganko a total of \$12,429.18. E-mail from Adrienne Woods to Eric M.
15 Van Horn September 17, 2019 at 9:53 p.m., attached hereto as
16 "Buganko-13."

17 5. On September 24, 2019, counsel for the Debtor informed me
18 that Debtor's counsel requested Debtor to include the above
19 mentioned amounts in the budget for Buganko. E-mail from Adrienne
20 Woods to Eric M. Van Horn, et. al., September 24, 2019 at 1:30 p.m.,
21 attached hereto as "Buganko-14."

22 6. On September 26, 2019, counsel for the Debtor informed me
23 that the Debtor is now taking the position that the Debtor "rejected
24 their agreement with you, as such, need not pay these amounts." E-
25 mail from Adrienne Woods to Eric M. Van Horn, et. al., September 26,
26 2019 at 10:52 a.m., attached hereto as "Buganko-15."

1 7. The Debtor did not file a reply or otherwise dispute in
2 any pleading filed with the Court the allegations asserted by
3 Buganko in its objection (at Docket No. 155), including Buganko's
4 assertion that the Debtor has underpaid Buganko, post-petition, for
5 surface rent.

6 8. At the status conference on September 23, 2019, counsel
7 for GIT, Inc. represented that a data room existed which everyone
8 had access to.

9 9. Beginning September 24, 2019, I emailed requests for
10 access to the data room to both counsel for GIT, Inc. and the
11 Debtor, and have since been refused access. A copy of that email
12 chain is attached hereto as "Buganko-16."

13 10. The Debtor's schedules reflect nearly 1,000 unsecured
14 creditors on Schedule E/F, most of who are royalty owners scheduled
15 with debts for "royalty payable." Docket No. 171, pp. 80-268.

16 11. The Affidavits of Service filed in this case appear to
17 reflect a lack of service of the pleadings filed by the Debtor on
18 Buganko (prior to its counsel entering appearances), and upon the
19 substantial majority of the Debtor's creditors, including the
20 hundreds of royalty interest owners.

21 12. The Affidavit of Service at Docket No. 19 reflects the
22 service of the Debtor's "first day" motions and notice of hearing on
23 same, including the Debtor's Motion to for Authority to Use Cash
24 Collateral, and the service list does not reflect service upon
25 Buganko nor the nearly 1,000 creditors scheduled by the Debtor in
26 this case. A copy of this Affidavit of Service is attached hereto as
27 "Buganko-17."

1 13. Docket No. 22, is the Debtor's Notice of Presentment of
2 Debtors Motion for Entry of an Order Establishing Notice and Service
3 Procedures (the "Notice and Service Procedures Motion").

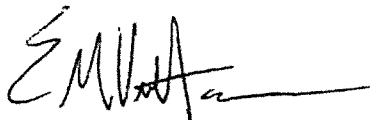
4 14. The Affidavit of Service at Docket No. 32, reflects
5 service of, among other pleadings, the Notice and Service Procedures
6 Motion, and the service list does not reflect service upon Buganko,
7 nor the nearly 1,000 other creditors scheduled by the Debtor in this
8 case. A copy of this Affidavit of Service is attached hereto as
9 "Buganko-18."

10 15. Docket No. 39 is the Order Establishing Notice
11 Procedures.

12 16. The Docket does not reflect any Affidavits of Service of
13 the Order Establishing Notice Procedures.

14 17. The Affidavit of Service of the Notice of Bankruptcy Case
15 Filing at Docket No. 20 (dated July 31, 2019), and the Supplemental
16 Affidavit of Service of the Notice of Bankruptcy Case Filing at
17 Docket No. 67 (dated August 20, 2019), appear to reflect the only
18 documents served by the Debtor upon all of the creditors it has
19 scheduled in this case. A copy of Docket No. 20 and Docket No. 67
20 are attached hereto as "Buganko-19" and "Buganko-20", respectively.

21
22 I declare under penalty of perjury pursuant to the laws of the
23 United States of America that the foregoing is true and correct.
24 Executed this 27th day of September, at Dallas, Texas.

25
26 

27 Eric M. Van Horn
28

EXHIBIT "BUGANKO-11"

Case number (if known) 19-32857

DOGANRU-11

Desc

Author: HW Cat Canyon, Inc.

Attachment to Schedule G

(Page 2 of 2)

Case number (if known) 19-32857

No.	Site reference	Description of contract or lease	Nature of HWI Interest in the contract or lease	Term remaining	Government contract No., if any	Counterparty name	Counterparty address (1)
49	Kern County, CA	License Agreement 9/24/07	Lessee (Grantee)			Aure Energy, LLC	10000 Ming Ave., Bakersfield, CA 93311
50	Orange County, CA	Surface Lease 3/1/71, Book 9701, Page 381	Lessee (Grantee)			Frank and Sylvia Bolterman	300 W. Paine Dr. Citrusdal, San Clemente, CA 92672
51	Orange County, CA	Surface Rental Agreement 12/31/71, Book 11056, Page 1473	Lessee (Grantee)			Bugabo	PO Box 9042, Mammoth Lakes, CA 93546
52	Orange County, CA	Agreement 7/1/72	Lessee (Grantee)			Lois Edmundo	140 Strada Place, Anaheim, CA 92807
53	Orange County, CA	Agreement 7/1/72	Lessee (Grantee)			Dominique C. Edmundo	772 W. Town & Country Rd., Orange CA 92668
54	Orange County, CA	Agreement 7/1/72	Lessee (Grantee)			R.D. Edmundo Truiter	315 S. Via Montefaro, Anaheim, CA 92807
55	Orange County, CA	Agreement 7/1/72	Lessee (Grantee)			Slate College, LLC	2345 NW Hynes Ave., Corvallis, OR 97330
56	Orange County, CA	Grant of Easement and Surface Use 3/2/09, 4200900143928	Lessee (Grantee)			Guarantee Royalties, Inc. and Lior Liquidating Assoc.	4640 Admiralty Way, Suite 700, Marina Del Rey, CA 90292
57	Orange County, CA	Surface Lease 2/9/71, Book 10364, Page 53	Lessee (Grantee)			Frederick D. Thornton, Jr.	824 Avilon Ct., San Diego, CA 92109
58	Orange County, CA	Surface Lease 2/9/71, Book 10364, Page 53	Lessee (Grantee)			Leigh T. Medema	3401 Cascadia Circle Unit A, Highlands Ranch, CO 80126
59	Orange County, CA	Surface Lease 2/9/71, Book 10364, Page 53	Lessee (Grantee)			Michael McLaughlin	3840 N. Woodridge Way, Flagstaff, AZ 86004
60	Orange County, CA	Surface Lease 2/9/71, Book 10364, Page 53	Lessee (Grantee)			Tim McLaughlin	1127 Buckingham Dr., Ft. Cone Mesa, CA 92526
61	Orange County, CA	Surface Lease 2/9/71, Book 10364, Page 53	Lessee (Grantee)			Sean McLaughlin	17101 Springdale St., Apt. 125, Huntington Beach, CA 92649
62	Orange County, CA	Pipeline Lease	Lessee (Grantee)			Adam Family Trust	2101 Shion Rd., Santa Maria, CA 93456
63	Orange County, CA	License Agreement 9/5/2000	Lessee (Grantee)			Orcutt Inc, LLC	1555 Orcutt Hill Rd., Orcutt, CA 93455
64	Orange County, CA	M/C-70021 Easement and Right of Way Agreement 12/19/03	Lessee (Grantee)			Marlene Friedl	2053 A Street, Santa Maria, CA 93455
65	Orange County, CA	Right of Way Agreement 3/19/64	Lessee (Grantee)			CMT, LLC	865 Sage Crest Rd., Santa Maria, CA 93455
66	Orange County, CA	M/C66118 Right of Way Agreement	Lessee (Grantee)			Manfred Sander	PO Box 593, Santa Maria, CA 93456
67	Orange County, CA	Surface Lease Agreement 12/1/95	Lessee (Grantee)			E&S Natural Resources	PO Box 593, Santa Maria, CA 93456
68	Orange County, CA	Letter of Authorization 8/20/43	Lessee (Grantee)			Grondone, LLC	1600 North Rd., Bakersfield, CA 93308
69	Orange County, CA	Agreement 12/29/65	Lessee (Grantee)			Morgan Ranch	620 McKinstry Rd., Buellton, CA 93427
70	Orange County, CA	Right of Way Agreement 11/9/01	Lessee (Grantee)			Railroad Management Company	PO Box 2075, Orcutt, CA 93457
71	Orange County, CA	Right of Way Agreement 11/9/01	Lessee (Grantee)			Paul T. Rignetti	PO Box 678161 Dallas, TX 75267
72	Orange County, CA	Right of Way Agreement 11/9/01	Lessee (Grantee)			Paul A. Rignetti, R. Fowler & Timothy Rignetti, Trustees	7476 Graciosa Rd., Santa Maria, CA 93455
73	Orange County, CA	Right of Way Agreement 11/9/01	Lessee (Grantee)			Rignetti Family Trust	7476 Graciosa Rd., Santa Maria, CA 93455
74	Orange County, CA	Right of Way Agreement 11/23/92	Lessee (Grantee)			Pope 2000 Trust	7476 Graciosa Rd., Santa Maria, CA 93455
75	Orange County, CA	Right of Way Agreement 11/23/92	Lessee (Grantee)			Judy A. Rogers	7476 Graciosa Rd., Santa Maria, CA 93455
76	Orange County, CA	Right of Way Agreement 11/23/92	Lessee (Grantee)			Ronald H. Souza, Jr.	PO Box 234, Santa Maria, CA 93456
77	Orange County, CA	Right of Way Agreement 11/23/92	Lessee (Grantee)			Michael J. Souza	PO Box 237, Orcutt, CA 93457
78	Orange County, CA	Right of Way Agreement 11/23/92	Lessee (Grantee)			Roland and Sally Miller	3028 Sandy Hill Lane, Santa Maria, CA 93455
79	Orange County, CA	M/C-70033 Right of Way Agreement 5/1/78	Lessee (Grantee)			Bruce & Julie Gordon	2935 E. Clark Ave., Santa Maria, CA 93455
80	Orange County, CA	M/C-70038 Right of Way Agreement 5/3/78	Lessee (Grantee)			Nedley, Inc.	PO Box 386, Santa Maria, CA 93456
81	Orange County, CA	Right of Way Agreement 11/14/92	Lessee (Grantee)			Jack & Georgette Gardin and George & Catherine Steele	3501 Telephone Rd., Santa Maria, CA 93454
82	Orange County, CA	M/C6575-2 Right of Way Agreement 12/19/91	Lessee (Grantee)			Donald and Richard Vincent	220 Winchester Canyon Rd., Goleta, CA 93117
83	Orange County, CA	VO-RW-1	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
84	Orange County, CA	VO-RW-6	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
85	Orange County, CA	SAWVC-5 Amend to ROW	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
86	Orange County, CA	M/C-70117 ROW Agree	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
87	Orange County, CA	M/C-6559-ROW Agree did	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
88	Orange County, CA	M/C-85315	Lessee (Grantee)			Bradley Land Company	PO Box 1932, Santa Maria, CA 93456
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169	Orange County, CA	M/C-8531					

EXHIBIT "BUGANKO-12"

Part 2:

Case 9:19-bk-11573-MB
Additional PageDoc 297 Filed 09/27/19 Entered 09/27/19 11:07:27 Desc
Main Document Page 9 of 48

		Amount of claim
3.112	Nonpriority creditor's name and mailing address BRUCE CONWAY P.O. BOX 2050 7 ORCUTT, CA 93457 Date or dates debt was incurred VARIOUS Last 4 digits of account number:	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Basis for the claim: TRADE PAYABLE Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3.113	Nonpriority creditor's name and mailing address BRYAN & BEATRICE GATEWOOD 6371 VAN BUREN ST., P.O. BOX 56 ATWOOD, CA 92601-0056 Date or dates debt was incurred VARIOUS Last 4 digits of account number:	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input checked="" type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed Basis for the claim: ROYALTY PAYABLE Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3.114	Nonpriority creditor's name and mailing address BUGANKO P.O. BOX 8042 MAMMOTH LAKES, CA 93546 Date or dates debt was incurred VARIOUS Last 4 digits of account number:	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Basis for the claim: TRADE PAYABLE Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3.115	Nonpriority creditor's name and mailing address BUTTRAM TRUST 2704 ROGERS AVENUE FORT WORTH, TX 76109 Date or dates debt was incurred VARIOUS Last 4 digits of account number:	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input checked="" type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed Basis for the claim: ROYALTY PAYABLE Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3.116	Nonpriority creditor's name and mailing address BYRON & ANN BARKER 811 WENDT TERRACE LAGUNA BEACH, CA 92651 Date or dates debt was incurred VARIOUS Last 4 digits of account number: BAR1	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Basis for the claim: ROYALTY PAYABLE Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

EXHIBIT "BUGANKO-13"

From: Adrienne Woods <aw@weltmosk.com>
Sent: Tuesday, September 17, 2019 9:53 PM
To: Van Horn, Eric
Cc: WM Team
Subject: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric,

Debtor has reviewed the appraisal and advises as follows:

It appears that rent in an increased amount of \$14,877.09 is payable to Buganko post-petition, which is a few pennies less than \$14,877.98 asserted.

Pursuant to Section 15 of the amended surface lease, rental payments shall be computed as follows:

- OPERATIONAL - 0.46 acres x 10% x 1/12 x \$1,850,000 = \$ 7,091.67
 - RESTRICTED - 1.01 acres x 5% x 1/12 x \$1,850,000 = \$ 7,785.42
- TOTAL = \$14,877.09





As a result,

- (a) the underpayment for Aug and Sept of \$6,214.59 each (\$12,429.18 total) is payable by HVI, and
- (b) the budget for monthly surface rents will need to be adjusted by HVI to account for this oversight.

I've advised Debtor that they should make these changes to the budget asap. I've also advised counsel to UBS to anticipate this change to the budget. Thank you for helping us to resolve this, and please let me know if you'd like to discuss.

Best regards,

Adrienne

Adrienne Woods
Counsel
Website | Bio | vCard | Text | Map    

WELTMAN & MOSKOWITZ, LLP
ATTORNEYS AT LAW

270 Madison Avenue, Suite 1400
New York, New York 10016
p: 212.684.7800 f: 212.684.7995

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EXHIBIT "BUGANKO-14"


From: Adrienne Woods <aw@weltmosk.com>
Sent: Tuesday, September 24, 2019 1:30 PM
To: Van Horn, Eric; Jones, Evan M.
Cc: mkehl@huronconsultinggroup.com; Indelicato, Samantha M.; Patrick, Darren L.; kgrant@silcom.com; WM Team
Subject: Re: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric,

I added the WM Team to the email for the same reason -- shortness of time. I have sent an email to the client requesting that the Buganko amounts be included and I know that other members of the team are communicating with the client regarding the budget too. I'm not sure if it will be a separate line item but I will ask.

Best regards,

Adrienne

Adrienne Woods
Counsel
Website | Bio | vCard | Text | Map 

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From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Tuesday, September 24, 2019 2:24 PM
To: Jones, Evan M. <ejones@omm.com>
Cc: Adrienne Woods <aw@weltmosk.com>; mkehl@huronconsultinggroup.com <mkehl@huronconsultinggroup.com>; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>; kgrant@silcom.com <kgrant@silcom.com>
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Thanks Evan and understood. However, given the short time frame that I understand the parties are working on to reach an interim order and budget, I wanted to make sure UBS was aware of these amounts.

Adrienne: can you please confirm? I would prefer a separate line item in the budget for Buganko that totals the amounts below.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Jones, Evan M. <ejones@omm.com>
Sent: Tuesday, September 24, 2019 1:18 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: Adrienne Woods <aw@weltmosk.com>; mkehl@huronconsultinggroup.com; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>; kgrant@silcom.com
Subject: RE: HVI Cat Canyon / BUGANKO, LLC – Notice re Underpayment of Surface Rents & Depositing of Related Checks

Eric: I trust that sending this to me and copying Adrienne was unintentional. As I keep saying, UBS does not draft the budget. We rely on the Debtor to present a budget that we review. Your substantive request is noted. Best, Evan

Evan M. Jones
O'Melveny

Partner
ejones@omm.com
O: +1-213-430-6236

O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Website | [LinkedIn](https://www.linkedin.com/company/omm) | [Twitter](https://twitter.com/omm)

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From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Tuesday, September 24, 2019 11:15 AM
To: Jones, Evan M. <ejones@omm.com>
Cc: Adrienne Woods <aw@weltmosk.com>; mkehl@huronconsultinggroup.com; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>; kgrant@silcom.com
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

For purposes of the interim budget through the end of next week, please confirm that the following amounts will be included into the budget for Buganko's (1) surface rental post-petition arrearages for August and September (totaling \$12,429.18), and (2) the surface rental amount of \$14,877.09 for payment on October 1st (which is the amount that should be included in the 13 week budget). These are the amounts that the Debtor agreed were owed per the below.

Please also know that there are additional post-petition arrearages in the form of attorneys' fees (and possibly some expenses) that are provided by the Surface Rental Agreement and related amendment for addressing these issues under the Surface Rental Agreement. We will calculate and provide those amounts as soon as possible.

Last, regarding post-petition royalties, please also know that royalties for production for the month of August should have been paid on September 20th. Since there was no authority to use cash collateral on 9/20, amounts for Buganko (and likely all other royalty interest owners) need to be budgeted for this next week. For Buganko, we will provide those estimates as soon as possible (however, they will likely be less than the monthly surface rental amount).

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Jones, Evan M. <ejones@omm.com>
Sent: Thursday, September 19, 2019 1:02 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: Adrienne Woods <aw@weltmosk.com>; mkehl@huronconsultinggroup.com; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Eric: As the Debtor makes no payments over the weekend or on Monday and Tuesday, we do not anticipate a further budget before the Monday hearing. Once the trial date is set, we expect to discuss a further extension with the Debtor and would consider whatever budget they propose. We appreciate the heads-up and professional courtesy. Best, Evan

Evan M. Jones
O'Melveny

Partner
ejones@omm.com
O: +1-213-430-6236

O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Website | LinkedIn | Twitter

From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Thursday, September 19, 2019 10:50 AM
To: Jones, Evan M. <ejones@omm.com>
Cc: Adrienne Woods <aw@weltmosk.com>
Subject: FW: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

[EXTERNAL MESSAGE]
Evan,

Per the below from Adrienne, the Debtor agrees to the monthly surface rental amount of \$14,877.09 for Buganko, LLC; and Buganko agrees with that calculation.

I understand from the below that the Debtor and UBS should be including the arrearages owed for August and September (\$6,214.59 each (\$12,429.18 total)) in the cash collateral budget.

Please let me know if that is being included in the budget, which I assume will be another interim, consensual budget until Monday's status conference.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Adrienne Woods <aw@weltmosk.com>
Sent: Tuesday, September 17, 2019 9:53 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: WM Team <wmteam@weltmosk.com>
Subject: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric,

Debtor has reviewed the appraisal and advises as follows:

It appears that rent in an increased amount of \$14,877.09 is payable to Buganko post-petition, which is a few pennies less than \$14,877.98 asserted.

Pursuant to Section 15 of the amended surface lease, rental payments shall be computed as follows:

- OPERATIONAL - 0.46 acres x 10% x 1/12 x \$1,850,000 = \$ 7,091.67
- RESTRICTED - 1.01 acres x 5% x 1/12 x \$1,850,000 = \$ 7,785.42

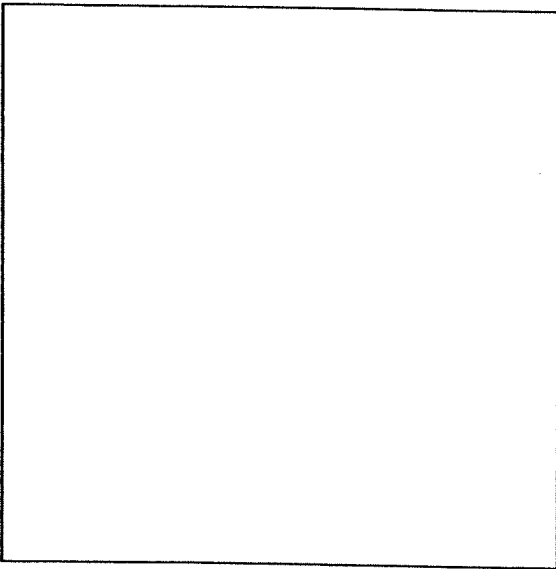
As a result,

- (a) the underpayment for Aug and Sept of \$6,214.59 each (\$12,429.18 total) is payable by HVI, and
- (b) the budget for monthly surface rents will need to be adjusted by HVI to account for this oversight.

I've advied Debtor that they should make these changes to the budget asap. I've also advised counsel to UBS to anticipate this change to the budget. Thank you for helping us to resolve this, and please let me know if you'd like to discuss.

Best regards,

Adrienne



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EXHIBIT "BUGANKO-15"

From: Adrienne Woods <aw@weltmosk.com>
Sent: Thursday, September 26, 2019 10:09 AM
To: Jones, Evan M.; Van Horn, Eric
Cc: mkehl@huronconsultinggroup.com; Indelicato, Samantha M.; Patrick, Darren L.; kgrant@silcom.com; WM Team
Subject: Re: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric

The debtor is taking the position that they rejected their agreement with you and, as such, need not pay these amounts. I must admit that I'm not an oil and gas lawyer but they tell me that they are entitled to do this

Please let me know your thoughts. I'm in court right now but I can speak after.

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From: Jones, Evan M. <ejones@omm.com>
Sent: Thursday, September 26, 2019 10:26:01 AM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: Adrienne Woods <aw@weltmosk.com>; mkehl@huronconsultinggroup.com <mkehl@huronconsultinggroup.com>; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>; kgrant@silcom.com <kgrant@silcom.com>; WM Team <wmteam@weltmosk.com>
Subject: Re: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Eric. Just as example budget received last night omitted postpetition payments to you. Adrienne and Monty told debtor that wouldn't fly. Working on it. Evan

Sent from my iPhone

On Sep 26, 2019, at 7:06 AM, Jones, Evan M. <ejones@omm.com> wrote:

We received a draft last night. Hope to have final today. Evan

Sent from my iPhone

On Sep 26, 2019, at 6:49 AM, Van Horn, Eric <ericvanhorn@spencerfane.com> wrote:

[EXTERNAL MESSAGE]
Is the budget forthcoming today?

Thanks,
Eric

2200 Ross Ave. Suite 4800 West | Dallas, TX

75201

O 214-459-5895

ericvanhorn@spencerfane.com | spencerfane.com

On Sep 25, 2019, at 1:10 PM, Adrienne Woods <aw@weltmosk.com> wrote:

Hi Eric

Sorry for the delay. The client advised me that they are sending a revised budget sometime today. We will send it around as soon as possible.

Best regards,

Adrienne

Get Outlook for iOS

From: Van Horn, Eric <ericvanhorn@spencerfane.com>

Sent: Wednesday, September 25, 2019 1:00:25 PM

To: Adrienne Woods <aw@weltmosk.com>; Jones, Evan M. <ejones@omm.com>

Cc: mkehl@huronconsultinggroup.com

<mkehl@huronconsultinggroup.com>; Indelicato, Samantha M.

<sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>;

kgrant@silcom.com <kgrant@silcom.com>; WM Team

<wmteam@weltmosk.com>

Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi everyone,

Please let me know regarding the inclusion in the budget of amounts owed to Buganko, LLC for surface rents per the below.

Also, until we have a better estimate for royalties owed for August production, that were supposed to be paid on 9/20, at minimum, the amounts originally budgeted by the Debtor in its proposed 13 week budget at Docket 11-1 (\$211K) should probably be used.

Thanks,
Eric

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Adrienne Woods <aw@weltmosk.com>
Sent: Tuesday, September 24, 2019 1:30 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>; Jones, Evan M. <ejones@omm.com>
Cc: mkehl@huronconsultinggroup.com; Indelicato, Samantha M. <sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>; kgrant@silcom.com; WM Team <wmteam@weltmosk.com>
Subject: Re: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric,

I added the WM Team to the email for the same reason -- shortness of time. I have sent an email to the client requesting that the Buganko amounts be included and I know that other members of the team are communicating with the client regarding the budget too. I'm not sure if it will be a separate line item but I will ask.

Best regards,

Adrienne

<image010.jpg><image011.jpg><image012.jpg><image013.jpg><image014.jpg><image015.jpg>

<image018.jpg>

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From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Tuesday, September 24, 2019 2:24 PM
To: Jones, Evan M. <ejones@omm.com>

Cc: Adrienne Woods <aw@weltmosk.com>;
mkehl@huronconsultinggroup.com; Main Document Page 22 of 48
<mkehl@huronconsultinggroup.com>; Indelicato, Samantha M.
<sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>;
kgrant@silcom.com <kgrant@silcom.com>

Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re
Underpayment of Surface Rents & Depositing of Related Checks

Thanks Evan and understood. However, given the short time frame that I understand the parties are working on to reach an interim order and budget, I wanted to make sure UBS was aware of these amounts.

I understand UBS' position that it does not draft the budget and that it relies on the Debtor. It is my expectation, given the Debtor's agreement with these amounts for the surface rent, that they will be correctly included in the budget.

Adrienne: can you please confirm? I would prefer a separate line item in the budget for Buganko that totals the amounts below.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Jones, Evan M. <ejones@omm.com>
Sent: Tuesday, September 24, 2019 1:18 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: Adrienne Woods <aw@weltmosk.com>;
mkehl@huronconsultinggroup.com; Indelicato, Samantha M.
<sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>;
kgrant@silcom.com
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re
Underpayment of Surface Rents & Depositing of Related Checks

Eric: I trust that sending this to me and copying Adrienne was unintentional. As I keep saying, UBS does not draft the budget. We rely on the Debtor to present a budget that we review. Your substantive request is noted. Best, Evan

Evan M. Jones

O'Melveny
Partner
ejones@omm.com
O: +1-213-430-6236

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Los Angeles, CA 90071
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From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Tuesday, September 24, 2019 11:15 AM
To: Jones, Evan M. <ejones@omm.com>
Cc: Adrienne Woods <aw@weltmosk.com>;
mkehl@huronconsultinggroup.com; Indelicato, Samantha M.
<sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>;
kgrant@silcom.com
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re
Underpayment of Surface Rents & Depositing of Related Checks

[EXTERNAL MESSAGE]
Adrienne and Evan,

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Please also know that there are additional post-petition arrearages in the form of attorneys' fees (and possibly some expenses) that are provided by the Surface Rental Agreement and related amendment for addressing these issues under the Surface Rental Agreement. We will calculate and provide those amounts as soon as possible.

Last, regarding post-petition royalties, please also know that royalties for production for the month of August should have been paid on September 20th. Since there was no authority to use cash collateral on 9/20, amounts for Buganko (and likely all other royalty interest owners) need to be budgeted for this next week. For Buganko, we will provide those estimates as soon as possible (however, they will likely be less than the monthly surface rental amount).

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Jones, Evan M. <ejones@omm.com>
Sent: Thursday, September 19, 2019 1:02 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: Adrienne Woods <aw@weltmosk.com>;
mkehl@huronconsultinggroup.com; Indelicato, Samantha M.
<sindelicato@omm.com>; Patrick, Darren L. <dpatrick@omm.com>
Subject: RE: HVI Cat Canyon / BUGANKO, LLC -- Notice re
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Eric: As the Debtor makes no payments over the weekend or on Monday and Tuesday, we do not anticipate a further budget before the Monday hearing. Once the trial date is set, we expect to discuss a further extension with the Debtor and would consider whatever budget they propose. We appreciate the heads-up and professional courtesy. Best, Evan

Evan M. Jones
O'Melveny

Partner
ejones@omm.com
O: +1-213-430-6236

O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
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Website | LinkedIn | Twitter

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From: Van Horn, Eric <ericvanhorn@spencerfane.com>
Sent: Thursday, September 19, 2019 10:50 AM
To: Jones, Evan M. <ejones@omm.com>

[EXTERNAL MESSAGE]

Evan,

Per the below from Adrienne, the Debtor agrees to the monthly surface rental amount of \$14,877.09 for Buganko, LLC; and Buganko agrees with that calculation.

I understand from the below that the Debtor and UBS should be including the arrearages owed for August and September (\$6,214.59 each (\$12,429.18 total)) in the cash collateral budget.

Please let me know if that is being included in the budget, which I assume will be another interim, consensual budget until Monday's status conference.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Adrienne Woods <aw@weltmosk.com>
Sent: Tuesday, September 17, 2019 9:53 PM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: WM Team <wmteam@weltmosk.com>
Subject: HVI Cat Canyon / BUGANKO, LLC -- Notice re Underpayment of Surface Rents & Depositing of Related Checks

Hi Eric,

Debtor has reviewed the appraisal and advises as follows:

It appears that rent in an increased amount of \$14,877.09 is payable to Buganko post-petition, which is a few pennies less than \$14,877.98 asserted.

Pursuant to Section 15 of the amended surface lease, rental payments shall be computed as follows:

- OPERATIONAL - 0.46 acres x 10% x 1/12 x \$1,850,000 =
\$ 7,091.67

\$14,877.09

TOTAL =

As a result,

(a) the underpayment for Aug and Sept of \$6,214.59 each (\$12,429.18 total) is payable by HVI, and

(b) the budget for monthly surface rents will need to be adjusted by HVI to account for this oversight.

I've advied Debtor that they should make these changes to the budget asap. I've also advised counsel to UBS to anticipate this change to the budget. Thank you for helping us to resolve this, and please let me know if you'd like to discuss.

Best regards,

Adrienne

<image019.jpg><image020.jpg><image021.jpg><image022.jpg><image023.jpg><image024.jpg>

<image027.jpg>

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<image011.jpg>

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<image014.jpg>

<image016.jpg>

<image016.jpg>

<image017.jpg>

<image020.jpg>

<image025.jpg>

<image025.jpg>

EXHIBIT "BUGANKO-16"

From: Van Horn, Eric
Sent: Thursday, September 26, 2019 8:51 AM
To: Patty Tomasco
Cc: kgrant@silcom.com; Adrienne Woods
Subject: Re: HVI Cat Canyon: Data Room Access

Patty and Adrienne,

Please let us know whether Buganko's counsel (Karen Grant and me) will be provided access to the data room that was represented to Judge Barash on Monday as being available to everyone.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX
75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

On Sep 25, 2019, at 11:15 AM, Van Horn, Eric <ericvanhorn@spencerfane.com> wrote:

Thanks. Did you mean that GIT didn't have an ability to provide us access, such that we need to obtain it from HVI Cat Canyon?

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Patty Tomasco <pattytomasco@quinnemanuel.com>
Sent: Wednesday, September 25, 2019 11:13 AM
To: Van Horn, Eric <ericvanhorn@spencerfane.com>
Cc: kgrant@silcom.com; Adrienne Woods <aw@weltmosk.com>
Subject: Re: HVI Cat Canyon: Data Room Access

We consulted the client and the answer is no.

Patty Tomasco
Partner

On Sep 25, 2019, at 11:11 AM, Van Horn, Eric <ericvanhorn@spencerfane.com> wrote:

[EXTERNAL EMAIL]

Hi Patty,

I'm following up on this and copying Adrienne in case she and the Debtor have an ability to provide access.

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

From: Van Horn, Eric
Sent: Tuesday, September 24, 2019 12:28 PM
To: Patty Tomasco <pattytomasco@quinnemanuel.com>
Cc: 'kgrant@silcom.com' <kgrant@silcom.com>
Subject: HVI Cat Canyon: Data Room Access

Patty,

I understand from yesterday that there is a data room that may be restricted to professionals. Can you please coordinate access for Karen Grant and me as counsel for Buganko, LLC?

Thanks,
Eric

Eric M. Van Horn Partner
Spencer Fane LLP

2200 Ross Ave. Suite 4800 West | Dallas, TX 75201
O 214-459-5895
ericvanhorn@spencerfane.com | spencerfane.com

EXHIBIT "BUGANKO-17"

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:)	Chapter 11
)	
HVI CAT CANYON, INC.,)	Case No. 19-12417
)	
Debtor)	Ref. Docket Nos. 10-18
)	
)	

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

WING CHAN, being duly sworn, deposes and says:

1. I am employed as a Noticing Coordinator by Epiq Corporate Restructuring, LLC, located at 777 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On July 30, 2019, I caused to be served the:
 - a. "Application to Retain Epiq Bankruptcy Solutions, LLC as Claims and Noticing Agent for Debtor Pursuant to 28 U.S.C. § 156(c), 11 U.S.C. § 105(a), and S.D.N.Y LBR 5075-1" dated July 30, 2019 [Docket No. 10],
 - b. "Debtor's Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362 and 363 Approving Use of Cash Collateral, Providing Adequate Protection and Setting Final Hearing Pursuant to Bankruptcy Rule 4001," dated July 30, 2019 [Docket No. 11],
 - c. "Motion of Debtor Pursuant to 11 U.S.C. §§ 105(a) and 363(b) for Entry of Interim and Final Orders (I) Authorizing Payment of E&P Operating Expenses and (II) Directing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations," dated July 30, 2019 [Docket No. 12],
 - d. "Motion of Debtor Pursuant to 11 U.S.C. §§ 105(a) and 366 Requesting Entry of an Order (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment to Utility Providers and, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service," dated July 30, 2019 [Docket No. 13],

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- e. "Motion of Debtor Pursuant to 11 U.S.C. § 365(a), Fed. R. Bankr. P. 6003(c) and 6006 and Local Rule 6006-1 for Entry of Order Authorizing Assumption of Administration Agreement with GIT, Inc., *Nunc Pro Tunc* to the Petition Date," dated July 30, 2019 [Docket No. 14],
- f. "Motion of Debtor Pursuant to 11 U.S.C. §§ 105(a) and 363(b) for Entry of an Interim and Final Order (I) Authorizing (A) Payment of Prepetition Wages, Salaries, Employee Benefits, and Other Compensation, (B) Maintenance of Employee Benefit Programs and Payment of Related Administrative Obligations, and (C) Payment of Prepetition Claims of Independent Contractors and (II) Directing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations," dated July 30, 2019 [Docket No. 15],
- g. "Motion of Debtor Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 363(c) and Fed. R. Bankr. P. 6003 and 6004 for (I) Interim and Final Authority to (A) Continue Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, and (C) Maintain Business Forms and Existing Bank Accounts and (II) Related Relief," dated July 30, 2019 [Docket No. 16],
- h. "Notice of Hearings on First Day Motions," dated July 30, 2019 [Docket No. 17], and
- i. "Index of First Day Motions of HVI Cat Canyon, Inc.," filed on July 30, 2019 [Docket No. 18],

by causing true and correct copies to be:

- i. enclosed securely in separate postage pre-paid envelopes and delivered via overnight mail to those parties listed on the annexed Exhibit A, and
 - ii. delivered via electronic mail to those parties listed on the annexed Exhibit B.
3. All envelopes utilized in the service of the foregoing contained the following legend:
"LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO ATTENTION OF
ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT."

/s/ Wing Chan
Wing Chan

Sworn to before me this
31st day of July, 2019

/s/ John Chau

Notary Public, State of New York

No. 01CH6353383

Qualified in Queens County

Commission Expires January 23, 2021

EXHIBIT A

Claim Name	Address Information
ADVANTAGE ANSWERING PLUS	3421 EMPRESA DRIVE, SUITE C SAN LUIS OBISPO CA 93401
ANN JENNY SCHUPP	C/O M H WHITTIER CORP. 1600 HUNTINGTON DRIVE SOUTH PASADENA CA 91030
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CALIFORNIA FRANCHISE TAX BOARD	PO BOX 942857 SACRAMENTO CA 94257-0500
CALIFORNIA OSHA	1515 CLAY STREET, SUITE 1901 OAKLAND CA 94612
CALIFORNIA STATE CONTROLLER	BETTY T. YEE TAX ADMINISTRATION SECTION PO BOX 942850 SACREMENTO CA 94250-5880
CASMITE CORPORATION	6001 BOLLINGER CANYON ROAD SAN RAMON CA 94583
DIANE T. WALKER	748 OCEANVILLE ROAD STONINGTON ME 04681-9714
FIRST AMERICAN TITLE INSURANCE COMPANY	TRUSTEE FOR UBS AG LONDON BRANCH 4380 LA JOLLA VILLAGE DRIVE SUITE 110 SAN DIEGO CA 92122
FRONTIER COMMUNICATIONS CORP.	401 MERRITT 7 NORWALK CT 06851
GOLDEN STATE WATER COMPANY	630 E. FOOTHILL BOULEVARD SAN DIMAS CA 91773
GRL, LLC	45 ROCKEFELLER PLAZA SUITE 2410 NEW YORK NY 10111
HVI CAT CANYON, INC.	630 FIFTH AVENUE, SUITE 2410 NEW YORK NY 10111
HVI CAT CANYON, INC.	P.O. BOX 5489 SANTA MARIA CA 93456
INTERNAL REVENUE SERVICE	CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA PA 19101-7346
INTERNAL REVENUE SERVICE	(SMALL BUSINESS/SELF-EMPLOYMENT DIV) 5000 ELLIN ROAD LANHAM MD 20706
J. P. MORGAN-CHASE	MICHAEL KERNEY 450 WEST 33RD STREET, 15TH FLOOR REF: 030057 NASSAU ASSOC-SABA NEW YORK NY 10041
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PLACENTIA DISPOSAL	1131 E. BLUE GUM STREET ANAHEIM CA 92806
SANTA BARBARA COUNTY	TREASURER-TAX COLLECTOR PO BOX 579 SANTA BARBARA CA 93102-0579
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TELEPACIFIC COMMUNICATIONS	515 S. FLOWER STREET, 45TH FLOOR LOS ANGELES CA 90071
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UBS AG, LONDON BRANCH	600 WASHINGTON BLVD. STAMFORD CT 06901
VERIZON WIRELESS	1095 AVENUE OF THE AMERICAS NEW YORK NY 10036
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YORBA LINDA WATER DISTRICT	1717 E. MARCANTONIO PLACENTIA CA 92870

Total Creditor count 34

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WILLIAM W. JENNY JR.	CAMEL@HOTMAIL.COM

EXHIBIT "BUGANKO-18"

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:)	Chapter 11
)	
HVI CAT CANYON, INC.,)	Case No. 19-12417
)	
Debtor)	Ref. Docket Nos. 21-23
)	
)	

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

WING CHAN, being duly sworn, deposes and says:

1. I am employed as a Noticing Coordinator by Epiq Corporate Restructuring, LLC, located at 777 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On August 2, 2019, I caused to be served the:
 - a. "Interim Order Pursuant to 11 U.S.C. §§ 105(a) and 363(b) (I) Authorizing Debtors to (A) Pay Prepetition Wages, Salaries, Employee Benefits, and Other Compensation, (B) Maintain Employee Benefit Programs and Pay Related Administrative Obligations, and (C) Pay Prepetition Claims of Independent Contractors and (II) Directing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations" dated August 2, 2019 [Docket No. 21],
 - b. "Notice of Presentment of Debtor's Motion for Entry of an Order Establishing Notice and Service Procedures," dated August 2, 2019 [Docket No. 22], and
 - c. "Notice of Presentment of Debtor's Application for Entry of an Order Pursuant to Sections 1007 and 9006 of the Bankruptcy Code Extending Time to File Schedules and Statements of Financial Affairs," dated August 2, 2019 [Docket No. 23],

by causing true and correct copies to be:

- i. enclosed securely in separate postage pre-paid envelopes and delivered via overnight mail to those parties listed on the annexed Exhibit A, and
 - ii. delivered via electronic mail to those parties listed on the annexed Exhibit B.
3. All envelopes utilized in the service of the foregoing contained the following legend:
“LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO ATTENTION OF
ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT.”

/s/ Wing Chan

Wing Chan

Sworn to before me this
6th day of August, 2019

/s/ John Chau

Notary Public, State of New York

No. 01CH6353383

Qualified in Queens County

Commission Expires January 23, 2021

EXHIBIT A

Claim Name
Address Information

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CALIFORNIA OSHA	1515 CLAY STREET, SUITE 1901 OAKLAND CA 94612
CALIFORNIA STATE CONTROLLER	BETTY T. YEE TAX ADMINISTRATION SECTION PO BOX 942850 SACRAMENTO CA 94250-5880
DIANE T. WALKER	748 OCEANVILLE ROAD STONINGTON ME 04681-9714
FIRST AMERICAN TITLE INSURANCE COMPANY	TRUSTEE FOR UBS AG LONDON BRANCH 4380 LA JOLLA VILLAGE DRIVE SUITE 110 SAN DIEGO CA 92122
GRL, LLC	45 ROCKEFELLER PLAZA SUITE 2410 NEW YORK NY 10111
HVI CAT CANYON, INC.	630 FIFTH AVENUE, SUITE 2410 NEW YORK NY 10111
HVI CAT CANYON, INC.	P.O. BOX 5489 SANTA MARIA CA 93456
INTERNAL REVENUE SERVICE	CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA PA 19101-7346
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STONER FAMILY TRUST	JAMES G. SANFORD TRUSTEE 100 WEST LIBERTY STREET. SUITE 900 RENO NV 89501
U.S. DEPARTMENT OF TRANSPORTATION	1200 NEW JERSEY AVE, SE WASHINGTON DC 20590
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WYATT SLOAN-TRIBE	OFFICE OF THE ATTORNEY GENERAL 300 S. SPRING STREET, SUITE 1702 LOS ANGELES CA 90013

Total Creditor count 24

CHARLES C. ALBRIGHT TRUSTEE
729 WEST 16TH STREET #B8
COSTA MESA, CA 92627

EXHIBIT B

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CALIFORNIA STATE CONTROLLER	EOINQUIRY@SCO.CA.GOV
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HVI CAT CANYON, INC., RANDEEP S. GREWAL	RSG@GREKA.COM
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